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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 JANELL PLEIN, an individual,

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12 Plaintiffs,

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14 v.

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16 UNITED STATES OF AMERICA

17
18 Defendant
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CASE NO.: 2:25-cv-00713-JAD-BNW

MOTION TO EXTEND TIME TO
SERVE COMPLAINT
(First Request)

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21 Plaintiff Janell Plein, by and through her attorney of record Jacob G. Leavitt, Esq., of SIN
22 CITY LAW, respectfully moves this Honorable Court for an extension of time of thirty (30) days, up
23 to and including August 21, 2025, to effectuate service of the Complaint and Summons on Defendant
24 UNITED STATES OF AMERICA, pursuant to Federal Rules of Civil Procedure 4(m) and 6(b).

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1 This Motion is supported by the following Memorandum of Points and Authorities, the
2 pleadings and papers on file herein, and any oral argument the Court may permit.

3 DATED July 22, 2025

4 **SIN CITY LAW**

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6 By /s/Jacob G. Leavitt

7 JACOB G. LEAVITT, ESQ.

8 Attorneys for Plaintiff

9 JANELL PLEIN

10 **MEMORANDUM OF POINTS AND AUTHORITIES**

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12 **I. INTRODUCTION**

13 This case arises under the Federal Tort Claims Act (“FTCA”), and proper service under Rule
14 4(i) requires delivery to both the United States Attorney for the District of Nevada and the Attorney
15 General of the United States in Washington, D.C. While Plaintiff has effected service on the United
16 States Attorney, service on the Attorney General is still in process. Accordingly, Plaintiff respectfully
17 requests a brief extension of thirty (30) days, or until August 21, 2025, to complete service on the
18 Defendant.
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20 **II. LEGAL STANDARD**

21 Federal Rule of Civil Procedure 4(m) requires that a defendant be served within 90 days after
22 the complaint is filed. However, if the plaintiff shows good cause, the court must extend the time for
23 service. Even without good cause, courts have discretion to grant extensions. Rule 6(b) similarly
24 allows extensions of time upon a showing of good cause where the request is made before the original
25 time expires.
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III. ARGUMENT

Plaintiff filed the Complaint on April 23, 2025. The current service deadline under Rule 4(m) is July 22, 2025. Although service has been completed on the U.S. Attorney for the District of Nevada, service on the Attorney General of the United States is still pending due to mailing and processing delays.

This request is made in good faith and not for the purposes of delay. Plaintiff has diligently attempted to perfect service upon the United States and its agencies, as required under Federal Rule of Civil Procedure 4(i). However, delivery via certified mail to the United States Attorney General in Washington, D.C. is currently still in transit, per USPS tracking.

Plaintiff anticipates receipt of delivery confirmation shortly and intends to file proof of completed service immediately thereafter. An extension will ensure compliance with Rule 4(i) and avoid unnecessary dismissal under Rule 4(m).

This is Plaintiff's first request for an extension regarding service deadlines. No party will be prejudiced by the requested extension.

IV. CONCLUSION

For the foregoing reasons, Plaintiff respectfully requests that the Court grant a thirty (30) day extension of time, up to and including August 21, 2025, to complete service of process on the Defendant UNITED STATES OF AMERICA.

DATED July 22, 2025

SIN CITY LAW

By /s/Jacob G. Leavitt

JACOB G. LEAVITT, ESQ.

Attorneys for Plaintiff

JANELL PLEIN

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JANELL PLEIN, an individual,

Plaintiffs,

v.

UNITED STATES OF AMERICA

Defendant

CASE NO.: 2:25-cv-00713-JAD-BNW

[PROPOSED] ORDER GRANTING
MOTION TO EXTEND TIME TO
SERVE COMPLAINT
(First Request)

The Court, having reviewed Plaintiff's Motion to Extend Time to Serve Complaint, and for good cause appearing,

IT IS HEREBY ORDERED that Plaintiff's Motion is GRANTED.

IT IS FURTHER ORDERED that Plaintiff shall have an additional thirty (30) days, up to and including August 21, 2025, to effectuate service of the Summons and Complaint on Defendant

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1 UNITED STATES OF AMERICA in accordance with Federal Rule of Civil Procedure 4(i).

2 IT IS SO ORDERED.

3 DATED July 23, 2025

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6 UNITED STATES MAGISTRATE JUDGE

7 Respectfully Submitted by:

8 **SIN CITY LAW**

9 /s/Jacob G. Leavitt

10 JACOB G. LEAVITT, ESQ.

11 *Attorneys for Plaintiff*

12 **JANELL PLEIN**